



中國法律研究中心

SUMMER 2006

CENTER FOR CHINESE LEGAL STUDIES

COLUMBIA LAW SCHOOL

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Please direct questions, comments or changes of address to Paulette Roberts (PProber@law.columbia.edu).

http://www.law.columbia.edu/center_program/chinese

BREAKING NEWS

Columbia Law School Launches Exchanges with Beida and Fudan

In June, Columbia Law School became the first American law school to launch student exchange programs with law schools in both Shanghai and Beijing. Beginning in the 2006-2007 academic year, Columbia Law School students will have the option of spending a semester at either Peking University (Beida) in Beijing or Fudan University in Shanghai, two of China's leading universities. Beida and Fudan students likewise will have the option of studying at Columbia. The first Beida and Fudan students will arrive at Columbia in August.

Dean David M. Schizer, who signed exchange agreements with his counterparts at Beida and Fudan, said, "These are exciting and important agreements. The exchanges reflect our continued commitment to educating American students about China and Chinese students about American law. Columbia Law School has been a leader in education about and engagement with China for more than thirty years; it is natural that we would be a leader in establishing student exchanges with China."



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IT IS AN EXCITING TIME for Chinese legal studies at Columbia. The Law School welcomed a record number of students and scholars from greater China to Morningside Heights during the 2005-2006 year—more than fifty in total, including students in our LL.M. and J.D. programs as well as visiting scholars. Interest in China and Chinese law continues to increase among students from the U.S. and elsewhere—reflected in the fact that our curriculum now includes five offerings on Chinese law. The Center for Chinese Legal Studies hosted more than twenty events during the year, ranging from the presentation of cutting-edge scholarship from Chinese scholars to talks by alumni about practice in Asia.

Increasing numbers of Columbia faculty are turning their research toward China. Prof. Timothy Wu, an IP expert who joined the Columbia faculty in January, has spent the summer conducting research in China. Curtis J. Milhaupt, the Fuyo Professor of Japanese Law and Legal Institutions, director of the Center for Japanese Legal Studies, and chair of the Transactional Studies Program, will be teaching and conducting research in Beijing during the fall 2006 semester.

We continue to play an important role in working to strengthen public interest law in China. For the third straight year, the Public Interest Law Initiative hosted two outstanding public interest lawyers from China during the fall semester. These PILI Fellows—Xiang Yan of the Juvenile Department of the Center for the Protection of the Rights of Disadvantaged Citizens (CPRDC) at Wuhan University, and Zhang Jingjing of the Center for Legal Assistance for Pollution Victims at the China University of Political Science and Law in Beijing—are truly inspirational. In addition, this summer, as in prior years, a number of Columbia J.D. students are working in public interest positions in China.

We also recently named our third Haas Fellow, Liu Jingjing, LL.M. '06. The fellowship supports recent Columbia Law School graduates from mainland China, Taiwan, or Hong Kong to work in public interest law internships in the United States immediately after graduation. Beginning this fall, Ms. Liu, who hopes to pursue a career in environmental advocacy in China, will be working with the National Resources Defense Council here in New York.

At Columbia we take pride in the scholarship produced by our students. Every year, numerous Columbia students travel to China to work and to conduct original research on Chinese law—often with the assistance of the Class of 1983 John Oldham Memorial Rights Internship. With Oldham fund support, this summer Angela Huang '08 is examining urban redevelopment in Shanghai; Bang (Steve) Lin '08 is working with two public interest organizations; Megan Fluckiger '08 is studying the use and availability of scientific evidence in Chinese criminal proceedings; and Qian (Lisa) Wang '08 is researching the potential for establishing a do-

mestic violence clinic in Shanghai.

Another excellent recent example of Oldham-funded student scholarship is Sandra Kister's ('07) forthcoming note, "China's Share-structure Reform: An Opportunity to Move beyond Practical Solutions to Practical Problems," in the *Columbia Journal of Transnational Law* this fall. The article examines the historical roots of the split-equity structure of China's A-share market, explains the mechanics of the share-structure reform, and assesses shareholders' claims that the reform deprives them of their property in violation of the PRC Constitution.

This newsletter is the first edition of what will be a regular effort to keep friends and alumni better informed about China-related activities here at Columbia. We are fortunate to have recently been joined at Columbia by Paulette Roberts, who serves as the director of Asian and comparative law programs and who has helped prepare this newsletter. I hope to see many of you during our upcoming alumni events in Shanghai and Beijing, and welcome all of you to visit us in Morningside Heights when you are next in New York.

— Benjamin L. Liebman
Associate Professor of Law
and Director,
Center for Chinese Legal Studies

Benjamin L. Liebman's Recent Publications

Innovation through Intimidation? An Empirical Account of Defamation Litigation in China, 47 HARV. INT'L L.J. 33 (2006).

Watchdog or Demagogue? The Media in the Chinese Legal System, 105 COLUM. L. REV. 1 (2005).



57th Annual Winter Luncheon

At the 57th Annual Winter Luncheon, which took place on January 20, 2006 at the Waldorf-Astoria, Dean David M. Schizer presented Wei Sun Christianson '89 and Prof. R. Randle Edwards with the Columbia Law School Medal of Excellence. At the time of the luncheon Wei Sun Christianson was the managing director of Citigroup Global Markets (Asia) Ltd., and the chairman for China Investment Banking for Citigroup; she subsequently became managing director and CEO for Morgan Stanley China. Prof. Edwards, who founded the Center for Chinese Legal Studies and served as its director for more than twenty years, is the Walter Gellhorn Professor of Law Emeritus at Columbia Law School.



(L to R) Shang Peng '06 LL.M., David Gerstl '06 J.D., Ting Zhao '06 J.D., Heqing Wang '06 LL.M., Profs. R. Randle Edwards and Louis Henkin, Jing Zhou '06, Xun Yang '06 LL.M., Fangzhou Tao '06 LL.M.



Dean David M. Schizer with David Dinkins, former mayor of New York City, Monica Seles, and Wei Sun Christianson



Jon L. Christianson '88



Randle Lee Edwards '92 and his father, R. Randle Edwards



Honorees Wei Sun Christianson and R. Randle Edwards

**Wei Sun Christianson**

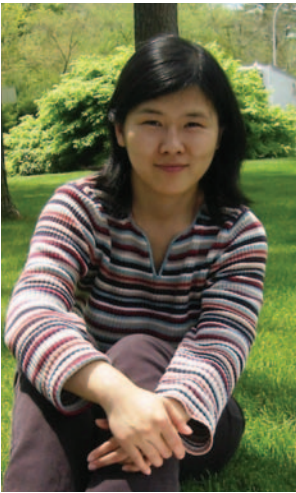
China Deals Roundtable, January 2006

On January 19 Columbia Law School's Transactional Studies Program hosted a "Deals Roundtable," titled "China's Emerging Financial Markets: Opportunities and Obstacles." A keynote address was given by Wei Sun Christianson '89. Following her address, participants heard from two panels of experts. On the first panel, Columbia Law School Prof. Katharina Pistor moderated a discussion of the role of foreign banks in transforming China's banking sector. Her panel included Jon L. Christianson of Skadden, Arps, Slate, Meagher & Flom in Beijing; Prof. Nicholas C. Howson of Michigan Law School; Prof. Nicholas Lardy of the Institute for International Economics; Barry Metzger of Baker and McKenzie; Michael O'Hanlon of the Shenzhen Development Bank; and Kenneth Willman from Goldman, Sachs and Co. The second panel, which was moderated by Prof. Benjamin Liebman, focused on China's legal and financial infrastructure. Panelists included Prof. Franklin Allen of The Wharton School at the University of Pennsylvania; Prof. Donald Clarke of George Washington University Law School; Robert Dohner of the U.S. Department of Treasury; and Prof. Yasheng Huang of the MIT Sloan School of Management.

**Dean David M. Schizer****(Left to Right) Wei Sun Christianson, Dean David M. Schizer, and Jon L. Christianson**



Student Profiles



Huaying Qi, LL.M. 2003, J.D. 2006

Before beginning her studies at Columbia in 2002, Ms. Qi worked as an attorney for the Center for the Protection of Women's Rights at Peking University Law School, one of China's leading women's rights advocacy organizations.

I first came to Columbia for the LL.M. program. After graduation, I took one year off and spent some time in Ann Arbor, MI, where my husband is a student. During that year I conducted research on public health regulations and also interned for Judge O'Meara in the U.S. District Court, Eastern District of Michigan. After debating whether to continue in law or to pursue a degree in the social sciences, I decided to return to CLS, this time to complete my J.D. degree. I have really enjoyed the law school, especially the Center for Chinese Legal Studies. The professors at CLS are very intelligent and accessible. Prof. Eisenberg's contracts class was fun, instructive, and interesting. Prof. MacKinnon's class on sex equality was eye-opening and illuminating, not only for its insight into gender issues but also because it introduced me to constitutional law theory. It gave me new perspectives with which to examine many things.

Another great thing about Columbia was that I had access to many non-profit organizations, including the chance to intern with the VERA Institute of Justice. What impressed me most was that VERA creates NGOs and helps them with the conception and implementation of selected projects. In this process, VERA maintains its status as an innovation workshop and fosters new NGOs' growth. I learned how a good NGO can function to develop a healthy NGO community in a democratic society. My long-term goal is to pursue a career in the public sector.



Yizhe Zhang, LL.M. 2006

Prior to coming to Columbia Law School, Ms. Zhang worked for the Ministry of Commerce in Beijing. Following graduation Ms. Zhang will work on antitrust law in the Jones Day office in Washington.

At the Ministry of Commerce I became very interested in antitrust law. That is why I came to Columbia Law School. Fortunately I found an extraordinary professor, Prof. [Harvey J.] Goldschmid. I took both his antitrust class and his corporations class. The classes are the most memorable part of my experiences here. Prof. Goldschmid's teaching method was totally Socratic, and he made me think all of the time. It is a very different experience from studying in a Chinese law school. He was also very nice and accessible and was also extremely generous in serving as my advisor for an independent research project on antitrust law. During my study here, I sent many articles to my former colleagues at the Ministry of Commerce which I think might be helpful for them in formulating antitrust policies in China.



Mike Goettig, J.D. 2007

I am the editor-in-chief of the *Columbia Journal of Asian Law*. My connection to China began in 1996 when I was sent as a Peace Corps volunteer to Sichuan province. After my Peace Corps service, I was a Yunnan-based freelancer and independent contractor until 2003; my jobs ranged from writing press releases for the World Economic Forum to running my own bar in Yunnan's capital city of Kunming. I came to CLS in 2004 in part because I had heard great things about Prof. Ben Liebman and its Chinese law programs.

During the summer following my 1L year, as a public interest fellow, I was based in Beijing, where I worked for two weeks with Human Rights Watch on a report about petitioners bringing local-level grievances to the attention of the central government; for the remainder of the summer, I worked with the ABA's office in Beijing. They are working to bring public participation mechanisms to environmental law. As part of my work with the ABA, I traveled to four cities throughout China to assess the interface between migrant workers and local government representatives.



Visiting Scholars 2005- 2006

During the academic year of 2005-2006, Columbia Law School welcomed twelve distinguished scholars and practitioners from greater China as visiting researchers and scholars.

Feng Yujun

Associate Professor,

Renmin University of China School of Law

At Columbia, Prof. Feng researched financial law, the globalization of legal institutions, and law and economics. Prof. Feng was an Edwards Fellow.

Huang Jin

Lecturer, Institute of Law,

Chinese Academy of Social Sciences

Prof. Huang's research fields include international law and international economic law. At Columbia he conducted research on antitrust law.

Ren Zili

Associate Professor,

*Beijing University of Aeronautics and
Astronautics School of Law*

Prof. Ren is a leading young scholar of securities law in China. At Columbia he conducted research on corporate law, in particular U.S. law regarding management buy-outs.

Yi Jiming

Professor, Institute of Law,

Chinese Academy of Social Sciences

Prof. Yi's research focused on property law theories and their practical application, although his interests also included intellectual property law, private law, and jurisprudence. He is also the editor-in-chief of the *Private Law Review*. Prof. Yi was an Edwards Fellow.

Zhang Lan

Assistant Professor,

Nanjing University Law School

Prof. Zhang was a post-doctoral research scholar at Columbia. Her areas of research included comparative law, international commercial arbitration, and legal education. Prof. Zhang was a Wu Fellow.

Zhang Wusheng

Professor of Law,

Fudan University Law School

At Fudan, Prof. Zhang teaches civil procedure, evidence, the legal profession, criminal procedure,

and supervises the legal aid clinic. At Columbia he researched American class-action litigation. Prof. Zhang was an Edwards Fellow.

Du Ying

Associate Professor,

Central Party School, Beijing

Prof. Du teaches civil law and intellectual property law in China. At Columbia she researched intellectual property law, insurance law, and property law.

Dou Lijun

Partner,

*Beijing East IP Law Firm and former
counsel in the Beijing office of Tom.com*

Ms. Dou is a leading authority on the regulation of the Internet in China. At Columbia she conducted comparative research on regulation of the Internet.

Li Xuejun

Associate Professor,

Renmin University of China School of Law

While at Columbia, Prof. Li researched American criminal procedure and evidence law.

Hsu Kingchai

Judge,

Taichung High Administrative Court, Taiwan

Judge Hsu, who visited Columbia at the invitation of Judge Gerard Lynch, conducted research on the U.S. Federal Sentencing Guidelines, with a view to their possible relevance for the establishment of sentencing guidelines for Taiwan.

Xiang Yan

Associate Professor,

Wuhan University School of Law

Prof. Xiang directs the Juvenile Department of The Center for the Protection of the Rights of Disadvantaged Citizens (CPRDC) at Wuhan University. As a fellow with the Public Interest Law Initiative, she researched clinical legal education, legal history, and juvenile rights.

Zhang Jingjing

*Staff Lawyer and Chief of the Litigation Department
of the Center for Legal Assistance for Pollution Victims,
China University of Political Science and Law, Beijing*

Ms. Zhang is a leading environmental lawyer in China, where her work focuses on toxic torts litigation and class actions. As a Public Interest Law Initiative fellow, at Columbia she researched citizen suits, public participation in environmental matters, and environmental justice.